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TO RUEHC/SECSTATE WASHDC PRIORITY 5055
INFO RUCNCIS/CIS COLLECTIVE PRIORITY
RUEHAK/AMEMBASSY ANKARA PRIORITY 2741
RUEAIIA/CIA WASHINGTON DC PRIORITY
RUEHVEN/USMISSION USOSCE PRIORITY 0889
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C O N F I D E N T I A L BAKU 000290

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FOR EUR/CARC

E.O. 12958: DECL: 03/27/2018

TAGS: PREL PGOV PHUM KIRF AJ

SUBJECT: IMPRISONED AZERBAIJANI BAPTIST PASTOR IS PARDONED

REF: A. BAKU 00270

¶B. 07 BAKU 00794

Classified By: Deputy Chief of Mission Donald Lu for reasons 1.4 (b) and (d).

¶11. (C) President Aliyev pardoned Baptist pastor Zaur Balaev on March 18, as part of a broader presidential pardon timed to the start of Novruz (ref a). Balaev was arrested on May 20, 2007 on charges of resisting and attacking police in the northwestern village of Aliabad (ref b). Since Balaev's arrest and detainment, the Embassy has been in contact with local Baptist representatives to receive updates on Balaev's condition. The Embassy also has raised our concerns regarding the suspect conditions of Balaev's arrest with the Ministry of Foreign Affairs and the State Committee on Work with Religious Associations (SCWRA). Concerned citizens in America -- including former U.S. President Carter -- rallied to Balaev's defense by sending letters to the GOAJ protesting Balaev's imprisonment.

¶12. (C) Baku-based Baptist community leader Ilya Zenchenko told the Embassy on March 27 that Balaev has returned to his family in Aliabad and community members are happy with the pardon. Zenchenko noted that Balaev may seek medical treatment for a heart condition, although this condition appears to have been a long-standing one, albeit one that probably was not helped by his imprisonment. Zenchenko said the Baptist community in Aliabad has not reported any new complaints of harassment by local officials since Balaev's arrest and after a few reported instances of harassment in the weeks after his arrest.

¶13. (C) Zenchenko said the Azerbaijani Supreme Court will hear Balaev's case on April 1, noting that despite the presidential pardon, Balaev's appeal is still on the court's docket. (Balaev appealed his guilty verdict to the Supreme Court on October 15, 2007.) Zenchenko believes the Supreme Court's ruling is unlikely to contradict the presidential pardon, but he asked for the Embassy's support in raising U.S. interest in the verdict with the GOAJ. Zenchenko also said the Baptist church in Aliabad, which has approximately 50 members, remains unregistered. According to Zenchenko, the problem is that local notaries refuse to certify their registration documents for unclear reasons, even after three attempts with three notaries in July 2007. Zenchenko said one notary declined to certify the documents, citing unspecified "pressure," and another notary slipped into a separate room to make a phone call, then returned and said she could not certify the documents.

¶4. (C) The Embassy is sending a letter to Foreign Minister Mammadyarov and SCWRA chief Orujov, noting that the U.S. is pleased with the pardon, while noting our interest in the upcoming Supreme Court case and ensuring that the community has equal access to the necessary registration procedures.
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